Madras. II-27—97,906—18-11-46.

Development (1947.) **Department.**

~~Confidential~~ No. 75 **SERIES**

G.O. No.	209
Dated	14.2.47.

closed
Ltr
Sept dt

[Despatch Abstract.]

Acts — Factories Act 1934 — Chapter IV —
The Jayaswami Printing Works Ltd.,
Mangalore — Exemption — Granted.

Revenue Development (1947) Department.

~~Confidential~~ ~~No.~~ ~~Series~~ SERIES.

G.O. No. 569

Dated 14.2.47

closed
to
Govt

[Despatch Abstract.]

Acts - Factories Act 1934 - Chapter IV -
Sri Saraswathi Printing Works Ltd.
Manager [illegible]

FACTORIES DEPARTMENT.

From

C. K. Vijayaraghavan Esq., I.C.S.,
Commissioner of Labour & Chief Inspr. of Factories,
Madras.

2335

The Secretary to Government, DEVELOPMENT DEPARTMENT,
Madras.

B.No. 1930/46, dated the 24th December 1946.

Sir,

Factories - Holidays with pay - Exemption - The Saraswati Printing Works, Ltd., Mangalore - Exemption from chapter IV-A of the Factories Act - Recommended.

I send herewith copies of the old and new leave rules received from the Manager, Saraswati Printing Works, Ltd., Mangalore, in respect of the workers employed in the factory. The new leave rules (rules 11 to 16) of the factory conform to the directions recently issued by the Government of India.

The Secretary of the South Kanara Press Workers' Union, Mangalore was asked to offer his remarks on the new leave rules of the factory on 23-8-1946. He has not sent his reply though he was reminded twice in the matter.

As the number of holidays with pay and other benefits are substantially similar to those provided for in chapter IV-A of the Factories Act, I recommend that the Saraswati Printing Works Ltd., Mangalore, may be exempted from the provisions of chapter IV-A under section 49-G of the Factories Act.

for Commr. of Labour & Chief Inspr. of Factories.

M. S. [illegible] L[illegible], L[illegible],

[illegible] M a n g a l o r e.

In supersession of all the previous proceedings of the Board of Directors or of Committee of Directors or of the Rules framed thereunder the following rules will come into force with effect from 1-1-1946.

Leave Rules.

1. (a) Leave is earned by duty only by Company's employees holding permanent posts or holding a lien on such post.

(b) Casual Leave and Leave on loss of pay may, however, be granted to other employees also.

AUTHORITIES BY WHOM LEAVES MAY BE GRANTED.

2. In the case of all employees the Manager shall be the sole sanctioning authority for leave. Leave applications of the Manager should be made to the Chairman direct.

3. Sundays or other recognised holidays may be prefixed to leave or affixed to leave by an express order of the sanctioning authority.

4. Employees of the Company on leave shall not take any other service or accept any other employment except on obtaining the previous sanction of the Chairman or the Manager as the case may be.

5. No employees of the Company who has been granted leave on Medical Certificate or for reasons of health, even though such leave was not actually granted on a Medical certificate may be permitted to return to duty without first producing a Medical Certificate of fitness.

6. Wilful absence from duty after the expiry of the leave or otherwise, will be treated as misbehaviour and the employee will be dealt with by the Manager as he deems fit.

7. The Manager should keep in his office, Leave Register in Form C, of the whole staff, as required under the Factories Act.

A. Casual Leave.

8. Casual Leave on full salary and allowance, if any, for five days in a calendar year may be allowed to the employees of the Company, but not more than 5 days at a time including holidays. But in calculating the total leave the intervening holidays will not be counted.

9. Casual Leave not availed of [illegible] any Calendar year shall be deemed to have lapsed. Casual Leave can not be tacked on to any other kind of leave either at the beginning or at

Mangalore,
24th October 1937.

W. E. Mascarenhas,
Managing Director.

LEAVE RULES

Every employee of the Press shall be entitled to a casual leave of 10 days in a year, which may be availed of as and when circumstances permit.

2. Casual leave can not be claimed as a matter of right and will be granted without prejudice to the working of the Press.

3. Casual leave can not be availed of for more than three days at a time including any holiday that may fall within the period.

4. He shall also be entitled to a privilege leave of 5 days in a year, which may be allowed to accumulate if he counts a service of more than 5 years. But in no case such leave will be allowed to exceed 4 weeks.

5. Casual leave not availed of in the year shall be deemed to have lapsed.

6. If an employee fails to join duty on the expiry of his leave he shall be deemed to have absented himself without leave for the whole period (including the period for which leave is granted) and shall forfeit his pay for such period.

7. Sick leave on half pay not exceeding one month in a year when necessary shall ordinarily be granted on production of a certificate from a competent Registered Medical Practitioner. But the management shall reserve the right to direct the employee to a medical practitioner of their own choice and the fee in such a case will have to be borne by the Company provided he finds the employee really sick and recommends leave.

8. Should however, in special cases when sick leave for more than a month is necessary it shall be granted subject to the approval of the Board.

9. Sick leave on full pay for the period the employee may have to his credit of unavailed privilege leave shall be granted at the discretion of the management.

10. It shall be open to the management to refuse or revoke leave of absence other than illness, if, in the opinion of the Sanctioning Authority the granting of such leave at the particular time is likely to interfere with the Company's work.

11. Absence without leave will entail stoppage of pay and repeated absence without leave will render the absentee liable for dismissal or suspension.

12. Staying away without first obtaining leave will, except in cases of sudden illness be regarded as absence without leave and pay will for such days of absence be stopped accordingly.

13. An employee on leave or absent for more than two weeks shall take the permission of the management before rejoining either to duty before the expiry of leave, or after such absence of 2 weeks.

14. Application for leave shall ordinarily be made in time to allow of the leave being granted before the date from which the applicant desires that the leave should commence.

15. Leave applications shall ordinarily be made in the printed forms available in the office, except in urgent cases when the applicant is compelled to send the leave notes from home.

16. No leave shall be availed of unless the same is granted by the Sanctioning Authority.

17. Sitting at home and sending leave notes often will entail stoppage of increments.

18. The office shall maintain a Leave Register.

Mangalore,
24th October 1937.

W. E. Mascarenhas,
Managing Director.

The Saraswathi Printing Works, Limited, Mangalore.

LEAVE RULES FOR WORKMEN.

Every employee of the Press shall be entitled for 10 (ten) days casual Leave every
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W. E. Mascarenhas,
Managing Director.

Mangalore,
24th October 1937.

M/s Standard Batteries Ltd., Madras.

Gentlemen,

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4. Employees of the Company on leave shall not take any other service or accept any other employment except on obtaining the previous sanction of the Chairman or the Manager as the case may be.

5. No employees of the Company who has been granted leave on medical certificate or for reasons of health, even though such leave was not actually granted on a medical certificate may be permitted to return to duty without first producing a medical certificate of fitness.

6. Wilful absence from duty after the expiry of the leave or otherwise, will be treated as misbehaviour and the employee will be dealt with by the Manager as he deems fit.

7. The Manager should keep in his office, Leave Register in Forms, of the whole staff, as required under the Factories Act.

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9. Casual Leave not availed of during any calendar year shall be deemed to have lapsed. Casual Leave cannot be tacked on to any other kind of leave either at the beginning or at

Dcw. Deptt.

The leave rules on pages 3 to 7 above provide for the requirements of the provisions of the Act as shown below:

Sec 49 (1)	Leave for ten or fourteen days either at a stretch or in more than one spell if the worker so chooses.	Rule 11 on p. 5 above.
Sec ( )	Accumulation of leave —	Rule 12 on p. 5 above.
( )	Payment of wages in lieu of leave on discharge.	Rule 13 on p. 5 above.
[illegible]	Completion of a period of 12 months Continuous Service in a factory.	Rule 14 on p. 5 above.

P.T.O.

equivalent to the daily average of his wages as defined in the payment of Wages Act, 1936 (IV of 1936), for the days on which he actually worked during the preceding three months, exclusive of any earnings in respect of overtime.

16. A worker who has been allowed holidays under the above Rules shall, before his holidays begin, be paid half the total pay due for the period of holidays.

C. LEAVE ON HALF PAY (SICK LEAVE).

17. Leave on Medical Certificate may be granted for a period not exceeding one month in a year to a maximum of one year in the whole service of an employee, but not more than two months at one time, on production of a medical certificate from a competent authority. If the Manager or the Chairman does not agree with the opinion of the Medical Practitioner who granted the Certificate, he shall have the right to send the applicant for leave to any Medical Practitioner he likes. The medical fee in such cases shall be paid by the Company in case such Medical Practitioner agrees with the opinion that such leave is necessary.

18. This leave may be combined with Special Leave or Leave on Loss of Pay.

19. An employee on leave on Medical Certificate shall be entitled to HALF the pay earned during the month immediately preceding the month in which the employee takes leave.

D. LEAVE ON LOSS PAY.

20. Leave on Loss of Pay, in case of absolute necessity, and when no other leave is admissible under these Rules, be granted for periods not exceeding one month at a time in a year subject to a maximum of six months on the whole in one's service.

21. Absence from duty of any employee in anticipation of sanction will only be condoned if the necessity of leave could not have been foreseen.

22. The Chairman or the Manager as the case may be shall be the sole authority to sanction all kinds of leave and their orders thereon shall be final.

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Dy. Chief Insp. of Factories.
4/11/47

W. E. Mascarenhas,
Managing Director.

[redacted]

9. Sick leave on full pay for the period the employee may [redacted] unavailed privilege leave shall be granted at the discretion of the management.

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24th October 1937.

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9

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24th October 1937.

W. E. Mascarenhas,
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[redacted]

C.No 2335 P1/47 17/V/47

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Hdb - Factories Act-1934 - Chapter IV A - --- 13

Sub: ~~Factories - Exemption - Holidays with pay~~ — The Saraswathi Printing Works Ltd, Mangalore.

Exemption from ~~Chapter IV A of the Act~~ - Granted. p.l.

Ref:- Letter from C.L. B.No. 1930/46-B dt 24.12.46

G.O.Ms.No. 569 DATED 14/2/47

Whereas the Provincial Government are satisfied that the leave rules applicable to workers in the Saraswathi Printing Works Ltd, Mangalore provide benefits substantially similar to those for which Chapter IV-A of the Factories Act, 1934 (Central Act XXV of 1934) makes provision;

Now, therefore, in exercise of the powers conferred by section

[redacted]